

UNAPPROVED
MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -OCTOBER 4, 2011- -7:00 P.M.

Councilmember Johnson led the Pledge of Allegiance. Mayor Gilmore convened the meeting at 7:04 p.m.

ROLL CALL - Present: Councilmembers Bonta, deHaan, Johnson, Tam and Mayor Gilmore – 5.

Absent: None.

AGENDA CHANGES

(11-456) Mayor Gilmore announced the golf items [paragraph number 11-474] were continued to December 13, 2011.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

(11-457) Proclamation for Public Power Week.

Mayor Gilmore read and presented the proclamation to Alameda Municipal Power General Manager.

(11-458) Proclamation Recognizing Citizen Emergency Response Team (CERT)/Earthquake Preparedness.

Mayor Gilmore read and presented the proclamation to Fire Captain Sharon Oliver and CERT members Fred Blas, Jerry Juhala, and Tom Schweich.

(11-459) Proclamation Declaring October 2011 as Cancer Awareness Month.

Mayor Gilmore read and presented the proclamation to Firefighters Jeff Del Bono and Gail Thomas.

(11-460) Proclamation Declaring October 2011 as Disability Awareness Month.

Mayor Gilmore read and presented the proclamation to Leslie Krongold, Commission on Disability.

(11-461) Presentation of Certificates of Appreciation to the Mayor's Fourth of July Parade Committee Members.

Mayor Gilmore continued the item.

ORAL COMMUNICATIONS, NON-AGENDA

(11-462) Sandy Sullivan, Alameda (submitted comments); Mary Anderson, Alameda; Gregg deHaan, Fernside Homeowners Association; and Ashley Jones, Alameda, commented on the Memorandum of Agreement [paragraph no. 11-474].

(11-463) Linda Fenn, Friends of the Alameda Animal Shelter (FAAS), Christa Nicholas, Alameda; and Janet Davis, Alameda, commented on the animal shelter.

(11-464) Ken Peterson, Alameda, announced that photos of 4th of July parades would be on display at the Ken Betts Center.

CONSENT CALENDAR

Councilmember Tam moved approval of the Consent Calendar.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*11-465) Minutes of the Special and Regular City Council Meetings, and the Special Joint City Council and Community Improvement Commission Meeting Held on September 6, 2011; and the Special City Council Meeting Held on September 7, 2011. Approved.

(*11-466) Ratified bills in the amount of \$3,270,915.48.

(*11-467) Recommendation to Approve a Consultant Agreement for \$43,500 with HF&H Consultants, LLC, for the Annual Integrated Waste Management Rate Review, Analysis of Contractor's Compensation Application, and On-Call Services. Accepted.

(*11-468) Recommendation to Approve a Consultant Agreement for \$56,689 with West Advertising, Inc. for Preparation and Production of Multi-Media Advertisements for Website and Written Publications. Accepted.

(*11-469) Recommendation to Adopt Plans and Specifications and Authorize a Call for Bids for the Sewer Pump Station Backup Generator Installation Project, No. P.W. 04-10-10. Accepted.

(*11-470) Recommendation to Ratify the Public Utility Board's Approval of Renewable Energy Certificates Transfer Agreement between Northern California Power Agency and Alameda Municipal Power and Authorize the General Manager of Alameda Municipal Power to Execute the Agreement. Accepted.

(*11-471) Ordinance No. 3035, "Authorizing the Execution of Lease of Real Property between the City, as Lessor, and Alameda Swimming Pool Association, as Lessee, for Swimming Pool Facilities at Lincoln and Franklin Parks." Finally passed.

REGULAR AGENDA ITEMS

(11-472) Public Hearing to Consider Resolution No. 14622, "Amending Master Fee Resolution No. 12191 to Add and Revise Fire Fees." Adopted.

The Interim Fire Chief gave a brief presentation.

In response to Councilmember Johnson's inquiry, the Interim Fire Chief stated the service fee for more than 200 new fire sprinkler heads would have a \$479 flat fee and would be \$1 for each additional head over 200.

Councilmember Johnson inquired whether the suppression system and underground and aboveground tank fees would cover site inspections and code compliance visits, to which the Interim Fire Chief responded in the affirmative.

Councilmember Johnson inquired who would be charged for failure to notify the City's dispatch division when testing an alarm, to which the Interim Fire Chief responded the alarm company.

Councilmember Johnson inquired whether multi-family false alarm fees would fall under the commercial category, to which the Interim Fire Chief responded in the negative.

Mayor Gilmore requested clarification on how the proposed fees compare to other jurisdictions.

The Interim Fire Chief stated staff has researched fees for Hayward, San Leandro, Oakland, and Berkeley; Alameda's fees have been significantly lower; the intent would be to stay at least 5% below surrounding jurisdictions.

The City Manager stated the exercise has been very helpful; service fees are charged in different ways; staff has been directed to keep fees 5% to 15% lower than surrounding jurisdictions; the same exercise would be done for all departments; the City cannot afford to be 50% to 60% lower than surrounding jurisdictions.

Vice Mayor Bonta stated the strategy and approach make sense; inquired whether the proposed fees would adequately reimburse the value of the service and staff time, to which the Interim Fire Chief responded in the affirmative.

Councilmember Tam stated a year and a half ago, Council had an exhaustive conversation regarding the fee schedule; the importance of cost recovery was discussed; the entire cost was not being recovered at that time.

Councilmember Johnson inquired whether the proposed fees would cover calls for getting people out of elevators in commercial buildings, to which the Interim Fire Chief responded in the negative.

Councilmember Johnson stated the Fire Department receives calls for leaky sinks and broken water heaters, which are not the purpose of Fire Department resources; inquired whether there is a process for sending a letter first and then a bill, to which the Interim Fire Chief responded that he is not aware of such a process.

Mayor Gilmore suggested that the Interim Fire Chief look into the matter.

Councilmember Johnson stated people should be billed if Fire Department resources are abused.

The City Manager stated all fees would be reviewed.

The Assistant City Manager stated direction was given in 2008 and something was passed at that time; the matter would be reviewed.

Proponent with Revision to the Second False Alarm Fee: Robb Ratto, Park Street Business Association.

Vice Mayor Bonta stated staff should review fees charged by other cities that the City does not charge.

Councilmember deHaan concurred with Vice Mayor Bonta; stated the \$520 false alarm fee [for each additional false alarm after four] is very steep.

Mayor Gilmore stated being hit with a steep fee would almost guarantee that such a situation would not happen again; that she is concerned that lowering the fee might be more digestible for a business owner and they might become lax.

Councilmember deHaan questioned whether residents are aware of the false alarm fees and whether fees are enforced.

The Interim Fire Chief stated fees are being enforced under the current schedule; the Fire Department would be out in the community this month, which would provide an opportunity to interact with businesses as well.

In response to Councilmember deHaan's inquiry, the City Manager stated police fees have not been reviewed.

Councilmember Johnson stated staff should distinguish between single family and small multi-family units versus certain size apartments; Alameda has quite a few large apartment complexes; having alarms work is important; a lot of false alarms have involved large apartment complexes; perhaps large apartment complexes should have a higher false alarm fee.

The City Manager stated the issue would need to be brought back to Council because

of noticing requirements or the issue could be revisited when the full fee schedule comes back for review.

Mayor Gilmore stated that she prefers that the matter come back when the full fee schedule is addressed.

Councilmember Johnson concurred with Mayor Gilmore.

Councilmember Johnson moved adoption of the resolution with amendment to the false alarm fees for commercial and residential.

Vice Mayor Bonta seconded the motion.

Under discussion, in response to Councilmember deHaan's inquiry, the Interim Fire Chief stated the third residential false alarm fee would be \$203, \$254 for the fourth alarm, and \$520 for each additional alarm.

On the call for the question, the motion carried by unanimous voice vote – 5.

(11-473) Public Hearing to Consider Resolution No. 14623, "Amending Master Fee Resolution No. 12191 to Add and Revise Civil Service Marriage Ceremony Fees." Adopted.

The City Clerk gave a brief presentation.

Mayor Gilmore stated the Council Chambers has been spruced up for marriage ceremonies; people would be getting more than before.

The City Clerk stated [City Clerk] staff brought in personal items from home; the City has not been charged for any of the furnishings.

Councilmember Johnson stated the Clerk's office is doing a great job; hopefully, people are aware of the service.

The City Clerk stated the web site would be updated.

The Assistant City Manager noted marriage ceremonies are now open to non-residents.

Councilmember Tam moved adoption of the resolution.

The Acting City Attorney stated marriage ceremonies are not restricted to cost recovery and are an exception under Proposition 26.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5.

(11-474) Recommendation to Approve a Memorandum of Agreement between the City

of Alameda and Harbor Bay Isle Associates Regarding Application Processing and Preparation of Property Exchange Agreement Related to a Proposal for Land Exchange and Funding for the Chuck Corica Golf Complex Course Improvements and New Sports Fields on North Loop Road; and

(11-474A) Recommendation to Accept a Report on the Status of the City's Athletic Fields; and

(11-474B) Recommendation to Approve the Major Deal Points for the Agreement with KemperSports for the Maintenance and Operation of the Chuck Corica Golf Complex and Direct Staff to Prepare a Lease Agreement for City Council Consideration. Continued to December 13, 2011.

CITY MANAGER COMMUNICATIONS

(11-475) The City Manager announced that the Planning Board would address environmental impacts of the Harbor Bay Isle's proposed housing development on October 24th and that the City received a letter of intent from Target.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(11-476) Consideration of Mayor's Nominations for Appointment to the Youth Advisory Commission.

Mayor Gilmore nominated Emani Pollard, Mackenzie Prince, Angus Storm, and Sonia W. Xu.

(11-477) Vice Mayor Bonta announced upcoming Town Hall meetings that he would be holding.

(11-478) Councilmember deHaan discussed grass on the golf course greens.

(11-479) Mayor Gilmore announced that she attended the League of California Cities annual conference.

(11-480) Councilmember Johnson stated the news about Target submitting a letter of intent is good.

(11-481) Councilmember Tam announced that she attended the League of California

Cities annual conference.

(11-482) Mayor Gilmore stated that the City held a labor negotiation workshop last Tuesday; the workshop is available on the website; Council meetings are also available for those iPads.

The City Manager stated the workshop was terrific; thanked the Acting City Attorney for putting everything together.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 8:33 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

UNAPPROVED
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -OCTOBER 11, 2011- -6:00 P.M.

Mayor Gilmore convened the meeting at 6:05 p.m.

Roll Call – Present: Councilmembers Bonta, deHaan, Johnson, Tam and Mayor Gilmore – 5.

Note: Councilmember Johnson was present via teleconference

Absent: None.

The meeting was adjourned to Closed Session to consider:

(11-__) Public Employment – (54957); Title: City Attorney

Following the Closed Session, the meeting was reconvened and Mayor Gilmore announced that no action was taken.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 7:00 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

UNAPPROVED
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -OCTOBER 11, 2011- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:06 p.m. Councilmember Tam led the Pledge of Allegiance.

ROLL CALL – Present: Councilmembers Bonta, deHaan, Tam and Mayor Gilmore – 4.

Absent: Councilmember Johnson – 1.

ORAL COMMUNICATIONS, NON-AGENDA

(11-) Michael John Torrey, Alameda, suggested the meeting be adjourned in memory of Al Davis.

(11-) Corrine Lambden, Alameda, urged the Council to name the Beltline Property after Jean Sweeney.

AGENDA ITEM

(11-) Review of Crown Beach Incident by FireChiefs.com, LLC

The City Manager gave a brief presentation.

Ruben Grijalva, FireChiefs.com, LLC, and Anthony Hare, Psy.D. gave a Power Point presentation.

The Police Chief and Interim Fire Chief gave brief presentations.

Proponents: Delores Berry, Alameda; Jeannette Lane, Alameda; Domenick Weaver, Alameda Firefighters Local 689; and Jon Spangler, Alameda.

Opponents: Gail deHaan, Alameda; Notty Bumbo, San Francisco; Rosemary McNally, Alameda; Adam Gillitt, Alameda; Carol Gottstein, Alameda; and Dawna Dowdell, Alameda.

Neutral: Kate Bernol.

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Vice Mayor Bonta left the dais at 9:11 p.m. and returned at 9:13 p.m. and Councilmember Tam left the dais at 9:12 p.m. and returned at 9:13 p.m.

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Mayor Gilmore requested that an update be provided in six months.

The City Manager inquired whether Mayor Gilmore is requesting a follow up on the fourteen recommendations, to which Mayor Gilmore responded in the affirmative.

The City Manager suggested that the matter come back to Council at the second meeting in February in order to provide a ninety-day assessment period; stated an additional report could be provided after an additional ninety days if tasks have not been completed; the most important thing tonight has been the recognition of the family's testimony; there have been failures in the policies, execution, and culture of the organization.

Mayor Gilmore stated that she does not want the report to be placed on a shelf and never addressed again.

The City Manager stated staff would come back regarding the fourteen recommendations; some recommendations might have budget impacts; that he apologizes for the failures; there has been a mistrust between the Police and Fire Departments in addition to administrative policy and coordination failures; the relationship needs to be rebuilt.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 10:02 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.